

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

MICHAELA HARRISON	§	
v.	§	CIVIL ACTION NO. 6:10cv262
COMMISSIONER, SOCIAL SECURITY ADMINISTRATION	§	

ORDER ADOPTING REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this action, has been presented for consideration. The Report and Recommendation recommends that the Commissioner's decision be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration of Plaintiff's ability to perform work-related activity and a determination of her RFC supported by the medical evidence of record. The Magistrate Judge further observes that it may be necessary for the ALJ to obtain additional medical testing, such as through the use of a consultative medical examiner who will specifically measure Plaintiff's ability to perform work; that it may also be necessary to conduct another administrative hearing; and, that the assistance of a testifying medical expert may be useful. No written objections have been filed. The findings and conclusions of the Magistrate Judge are therefore adopted as those of the Court.

In light of the foregoing, it is

ORDERED that the complaint is hereby **REVERSED AND REMANDED** pursuant to 42 U.S.C. § 405(g) for further proceedings consistent with the finding herein. It is further

ORDERED that any motion not previously ruled on is **DENIED**.

SIGNED this 13th day of February, 2012.

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE